Administrative Obstruction in European Union Medical Education: Systematic Discrimination and Administrative Failures in the EU Medical Program — A Legal Case Study from Semmelweis University VI

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Abstract

This **legal case study** offers the most comprehensive analysis to date of ***systemic discrimination and administrative obstruction in Hungary's English-language medical education*** system. Focusing on Semmelweis University and referencing documentary evidence from ***Ombudsman Case EBF–AJBH–309–2025***, ***Administrative Court Case 7. Kpk.. 750.239/2025/2, NAIH Data-Protection Case J-427-3/2025***, and extensive institutional correspondence, the study shows that international FM/CV-registered students were denied compulsory anatomy practical based on unwritten, external requirements that directly contradict ***Semmelweis University's Study and Examination Regulations (Articles 5, 10, 11, 13, 29, 45***). Evidence from *works such as* ***Administrative Obstruction in EU Medical Education***, ***Denied Access to the Scalpel for Dissecting the Specimen***, ***Ghost Students: The Legal Fiction of FM and CV Status***, **and the** ***Cross-Border Acknowledgment*** series confirms that inconsistent enforcement, signature-revocation demands, and discriminatory access restrictions form a recurring administrative pattern rather than isolated errors.

The study further documents that students were examined using severely degraded anatomical specimens—missing cranial nerves, collapsed vascular structures, and mutilated thoracic and oropharyngeal regions—in **violation of ESG 1.3 (fair and valid assessment**) and **WFME Standards 3.1 and 3.4 (equitable access and adequate resources**). Peer-reviewed research on oral-exam bias, combined with specifically documented Semmelweis practices, establishes that unstructured viva examinations magnify systemic disadvantage for international students. Additional evidence from ***Administrative Obstruction in the European Union Part VI*** demonstrates that Semmelweis engaged in improper data handling and public disclosure of identifiable student information, triggering an investigation under GDPR Articles 5 and 25.

National oversight mechanisms—Semmelweis University's administration, the Office of the Commissioner for Fundamental Rights, NAIH, MAB, and the Administrative Court—collectively failed to provide a meaningful remedy. The Ombudsman closed the case on a technicality without addressing the merits; NAIH confirmed privacy breaches but took limited

action; and MAB deferred review back to the institution accused of misconduct, a pattern consistent with passive oversight documented in ***Gatekeeper of Rights I & II*.** These procedural failures align with systemic governance deficiencies identified in the European Commission's 2022–2024 Rule-of-Law Reports on Hungary.

Taken as a whole, the evidence reveals a structurally embedded ecosystem of administrative obstruction—characterized by discretionary enforcement, invalid assessment conditions, resource shortfalls, GDPR violations, and collapsed remedy pathways—amounting to a **breach of EU Charter Articles 14, 21, 41, and 47.** Given the implications for ESG compliance, ***WFME-recognized accreditation, and EU-wide qualification mobility***, the study concludes that EU-level intervention by DG EAC and DG JUST is not only justified but necessary to restore compliance, protect international students, and safeguard the integrity of medical education across the European Higher Education Area.

Methods & Limitations.

This study applies a documentary legal method to a defined corpus of primary materials, including Ombudsman Case **EBF–AJBH–309–2025**, Administrative Court Case **7.Kpk . 750.239/2025/2**, **NAIH Data-Protection Case J-427-3/2025, internal correspondence, and the Semmelweis University SZMSZ_HKR (2024** English edition). Evidence is triangulated against European quality-assurance instruments (**ESG 1.1/1.3/1.4/1.6/1.7**), **WFME 3.1/3.4**, **EU Charter** rights (Arts. 14, 21, 41, 47), and Hungarian statutes (**Act CCIV/2011; Act CL/2016; Act XXV/2023**). Analytical steps include (i) text–practice comparison for FM/CV rules; (ii) resource-adequacy checks against ESG/WFME; (iii) assessment-validity review; and (iv) remedy-pathway tracing across university and national bodies. The argument is additionally anchored in peer-reviewed research on international-student attrition and viva reliability. Limitations include the single-jurisdiction focus and the fact that some proceedings remain pending, which may yield future materials; however, the present corpus is sufficiently comprehensive to establish systemic patterns of administrative drift and discriminatory enforcement. The full evidentiary trail and cross-walks to standards are contained in the annexes and referenced sections of the manuscript.

Ethics & Data-Protection.

All personal data is redacted or pseudonymized; role-based identifiers are used only where necessary to understand the institutional process. Materials are drawn from lawfully obtained, case-related documents and institutional regulations; private student information is excluded from the public manuscript and any downloadable appendices. Data handling follows the **GDPR** principles of lawfulness, data minimization, and privacy by design (**Arts. 5, 25**), with independent verification provided by the NAIH case referenced in the text. Where images of examination materials appear, they are edited to remove any indirect identifiers while preserving evidentiary content relevant to ESG/WFME compliance. The study's purpose is public-interest reporting and academic analysis of administrative systems, not reputational harm to individuals.

I. Introduction

Systemic educational discrimination rarely emerges from a single decision. Instead, it reflects converging patterns of administrative inaction, inconsistent enforcement, and structural under-capacity—patterns previously documented across the Hungarian higher-education oversight system in ***Gatekeeper of Rights I*** **and** ***Gatekeeper of Rights II*****,** which examined procedural failures in Ombudsman and regulatory responses to student-rights violations [1–2]. These studies demonstrated that Hungarian authorities frequently rely on ambiguity, delay, and non-transparent justification when handling education-related complaints, creating a structural environment in which individual grievances cannot obtain a meaningful remedy.

This structural pattern is not isolated to rights-protection bodies. The ***Cross-Border Acknowledgment*** **series** showed that international recognition networks—**WFME, ECFMG, FAIMER, and MAB**—have already flagged irregularities in quality assurance and ESG compliance at ***Hungarian medical institutions*** [3–5]. Their acknowledgments confirm that the concerns raised by students are not individual anomalies but indicators of systemic fragility within ***Hungary's English-language medical education*** sector.

Peer-reviewed literature on ***Hungarian higher-education governance*** reinforces these findings. Pusztai et al. (2022) demonstrated that international medical students in Hungary experience attrition rates more than triple those of domestic students, attributing this disparity to structural barriers, inconsistent academic support, and institutional culture [6]. Berács & Malcova (2021) further showed that governance and transparency deficits persist across Hungarian universities, especially in international programs where tuition revenue increases pressure on limited faculty and facility resources [7].

Meanwhile, empirical studies of oral examinations—still widely used at **Central European medical faculties**—provide strong evidence of examiner bias, a lack of inter-rater reliability, and systematic disadvantage for international students (Pernar et al., 2020; Abuzied, 2023) [8–9]. These findings closely mirror the present case, where inconsistent questioning, degraded anatomical specimens, and opaque grading processes form part of the evidence record. ESG 1.3 explicitly requires valid and reliable assessment conditions, and the WFME 2020 Standards mandate sufficient resources, fair treatment, and transparency in examinations. The documented conditions at Semmelweis contradict both frameworks.

European institutional research also provides the broader context in which these failures happen. The **European Commission's Rule-of-Law Reports (2022–2024)** highlighted ongoing concerns in Hungary about ***judicial independence, transparency, and administrative accountability***, noting that delays and procedural opacity in public administration create structural barriers to remedies [10]. The systemic nature of these issues indicates that administrative obstruction in Hungarian universities is not unique but part of a recurring national governance pattern.

Within this governance environment, ***FM/CV students at Semmelweis University*** experienced discriminatory denial of access to compulsory anatomy practicals—despite fulfilling all formal prerequisites and tuition obligations. The institution justified this denial by citing

unwritten, extratextual requirements that directly contradicted its **Study and Examination Regulations.** The same pattern of **unwritten practice overriding written law** was analyzed extensively in ***Gatekeeper of Rights I*** **and** ***II***, where institutional actors substituted discretionary policies for formal rules, thereby undermining access to remedies [1–2].

Taken together, the documented evidence reveals a **structural ecosystem of administrative obstruction** at the intersection of university governance, regulatory oversight, and national rule-of-law constraints. This dossier situates the Semmelweis case within that broader system to demonstrate that the educational discrimination experienced by FM/CV students is neither accidental nor isolated, but the predictable outcome of a governance framework characterized by institutional silence, discretionary enforcement, and resource inequality.

II. Background and Systemic Context

Administrative obstruction in Hungarian higher education cannot be understood as an isolated failure. Still, it must be recognized as a systemic and reproducible governance pattern characterized by procedural ambiguity, inconsistent enforcement, and the institutional normalization of non-response. This pattern is documented extensively in ***Gatekeeper of Rights I*** and ***Gatekeeper of Rights II***, where the **Commissioner for Fundamental Rights** demonstrated a repeated tendency to terminate investigations prematurely, avoid substantive findings, rely on technicalities such as postal non-collection, and evade accountability in cases involving student rights and administrative fairness [1–2]. These structural tendencies establish the procedural environment in which the present Semmelweis University case emerges: one in which students encounter opaque processes, ambiguous instructions, extended delays, and an institutional culture that defaults to silence or passive obstruction rather than corrective action.

These findings are reinforced by the ***Cross-Border Acknowledgment series***, in which independent filings submitted to international regulatory bodies—***WFME, FAIMER, ECFMG, and the Hungarian Accreditation Committee (MAB)***—resulted in formal acknowledgments that Semmelweis University may be operating below ESG compliance thresholds [3–5]. These bodies consistently recognized that the evidence indicated potential ESG deviations, yet none initiated proactive oversight until external pressure was applied. Their responses confirm two key realities: first, the issues described in this dossier are visible and traceable within international accreditation systems; second, Hungary's internal corrective mechanisms, including the Ombudsman and university-level appeals, are structurally insufficient without external supervision.

Peer-reviewed research on Central European higher education further clarifies this pattern. Berács and Malcova (2021) describe Hungarian universities as operating within a **"soft authoritarian"** governance framework, where administrative compliance is influenced more by informal networks, discretionary power, and institutional loyalty than by strict regulatory enforcement [7]. This setup creates the very conditions under which FM/CV students at Semmelweis University are denied access to required anatomy practicals despite having clear entitlement under the ***Study and Examination Regulations***. Systemic risk is increased by Hungary's role in the ***international medical education*** market. As Pusztai et al. (2022) show,

self-financing international students contribute disproportionately to tuition income while facing the highest attrition rates—around 67.5%, compared to roughly 20% among domestic students [6]. This difference cannot be explained solely by academic performance; instead, the authors attribute it to inconsistent institutional support, discriminatory administrative practices, and structural inequalities within international programs.

At ***Semmelweis University,*** these pressures manifest through several converging mechanisms. First, resource scarcity and over-enrolment are chronic and well-documented problems. Across the ***Cross-Border Acknowledgment*** **reports**, student capacity discrepancies, email evidence of hall congestion, and mandatory attendance contradictions revealed that core facilities routinely exceeded legal and physical limits [3–5]. Overcrowded lecture halls, improvised container classrooms, and insufficient cadaveric availability directly undermine ESG 1.6, which requires institutions to ensure adequate learning resources for all students.

Second, the substitution of written policy with unwritten departmental rules is a defining feature of administrative obstruction. As demonstrated in ***Gatekeeper of Rights I*** **and** ***II*****,** Hungarian institutions frequently replace formal regulations with informal, discretionary decision-making in cases involving ***FM/CV re-registration*** [1–2]. This same pattern reappears at **Semmelweis University, where the Anatomy Department** imposed an unwritten **"signature revocation"** requirement that does not appear in the **SZMSZ or Act CCIV of 2011.** This practice represents a classic example of ***"administrative drift,"*** in which written rules exist but are inconsistently followed or selectively invoked.

Third, passive oversight contributes to the normalization of non-response at both institutional and national levels. The administrative behavior analyzed in ***The Crossword of PIPER—delayed replies, ambiguous guidance, and procedural evasiveness—mirrors the Ombudsman's management of Case EBF–AJBH–309–2025,*** where procedural closure was favored over substantive evaluation [4]. Such evasion is not incidental; it aligns with deficiencies identified in the ***European Commission's Rule of Law Reports (2022–2024***), which highlight chronic issues of administrative uncertainty, inadequate transparency, and politically influenced oversight in Hungary [10].

Fourth, the international implications of this case extend beyond Hungary's borders. Hungary's participation in ***EU mutual recognition frameworks*** requires its medical programs to meet ***ESG and WFME quality standards***. ESG 1.3 mandates fair and reliable assessments; ESG 1.6 ensures adequate resources; ESG 1.7 calls for proper information management; and WFME 3.1 and 3.4 require equitable access to training and sufficient educational resources. Peer-reviewed studies on oral exams show that unstructured viva formats—especially when combined with degraded anatomical specimens, as documented in ***Denied Access to the Scalpel for Dissecting the Specimen***—tend to create bias against international students (Pernar et al., 2020; Abuzied, 2023) [18–19]. These academic findings clearly support the argument that Semmelweis University's exam conditions violate internationally recognized standards of fairness and reliability.

Fifth, the ***national rule-of-law context*** exacerbates these vulnerabilities. The European Commission has repeatedly stated that Hungarian administrative systems exhibit inconsistent

application of statutory duties, weak enforcement structures, and procedural loopholes that hinder the effective exercise of remedies [10]. These governance deficiencies are reproduced in higher education through arbitrary departmental practices, inadequate oversight of student-rights violations, and systemic tolerance of discretionary rulemaking.

Together, these patterns demonstrate that the Semmelweis case cannot be dismissed as a simple academic dispute. Instead, it reveals a ***complex system of rights-protection failures, non-transparent university governance, passive national oversight, resource-driven decision-making, outdated assessment systems, and broader rule-of-law issues***, all of which lead to discriminatory outcomes for ***international medical students*** in Hungary. This pattern underscores the need for ***EU-level intervention and highlights the systemic nature*** of the violations documented in this dossier.

III. Provision of Higher-Level Evidence of Systematic Discrimination and Administrative Failure

The documentary record from Semmelweis University between 2024 and 2025 reveals a complex pattern of administrative inconsistency, discriminatory enforcement, and systemic obstruction that closely aligns with the author's previously published case studies, including ***Administrative Obstruction in the EU: A Legal Case Study from Semmelweis University, its Revised Edition, Denied Access to the Scalpel for Dissecting the Specimen: A Legal Case Study of Academic Obstruction at Semmelweis University, Gatekeeper of Rights I, Gatekeeper of Rights II, and the Cross-Border Acknowledgment series***. Collectively, these papers form a coherent body of legal evidence showing that Semmelweis University repeatedly uses non-regulatory barriers, extratextual requirements, and inconsistent departmental interpretations of FM/CV status—an administrative pattern that multiple oversight bodies, including MAB, WFME, and ECFMG, have independently recognized. The evidence in Appendix A-2 and **Appendix C** of ***Administrative Obstruction in the EU: A Legal Case Study from Semmelweis University*** further demonstrates that FM students across departments face significantly different enforcement conditions. For example, ***Appendix A-2 provides documented testimony confirming that FM students in Biophysics II and Biochemistry II*** were allowed full laboratory access without needing to revoke a previously earned signature. Meanwhile, ***Appendix C*** shows that the ***Department of Anatomy*** imposed a signature revocation requirement not found in the **Semmelweis Study and Examination Regulations (SZMSZ**). This inconsistency is further highlighted by the fact that the student is currently enrolled in **Molecular Cell Biology I (FM1)**, where no signature revocation has been requested—proving that departmental enforcement is not only inconsistent across the university but also structurally arbitrary.

This ***pattern of inconsistent enforcement constitutes a discriminatory practice*** under **Act CXXV of 2003,** which defines ***discrimination not only as treating two groups differently but also as subjecting a single individual to administrative disadvantage*** through the uneven application of rules in similar circumstances. The discriminatory impact becomes more pronounced when measured against the explicit guarantees of **SZMSZ Articles 5, 10, 11, 13, 29, and 45,** all of which establish predictable, regulated pathways for course registration, signature recognition, practical participation, and progression criteria. ***Article 5*** mandates equal treatment within the faculty; ***Article 10*** guarantees access to infrastructure based on valid registration;

Article 11 provides the complete list of allowable conditions for practical attendance; ***Article 13*** defines FM registration as an examination-based mode that does not require signature revocation; ***Article 29*** protects the validity of previously obtained signatures; and **Article 45** ensures the stability of academic progression requirements. The signature-revocation command issued by Anatomy—documented verbatim in ***"Denied Access to the Scalpel for Dissecting the Specimen"—violates all these articles simultaneously***. Under European frameworks, these violations align with ***ESG 1.1 (commitment to non-discrimination), ESG 1.3 (valid, reliable assessment conditions), ESG 1.4 (fair student progression rules), and ESG 1.6 (adequate learning resources).*** They also breach **EU Charter Article 21 (non-discrimination**) and ***Act CCIV of 2011 (§§ 1–3 and § 47),*** which ***guarantee equal access to higher education and protect students from arbitrary administrative interference.***

The evidentiary value of ***Denied Access to the Scalpel*** is extreme, as it documents that the student was denied access to essential practical sessions for months and then examined using severely degraded anatomical specimens—missing cranial nerves, collapsed arterial systems, dehydrated brainstem segments, and mutilated thoracic structures—conditions that violate ESG 1.3's requirement for fair and valid assessment. Peer-reviewed literature reinforces the illegality of these conditions; Pernar et al. (2020) and Abuzied (2023) demonstrate that unstructured oral examinations, when combined with defective or inconsistent materials, produce systematic bias, especially against international students. These academic findings parallel the structural disadvantages documented in ***Administrative Obstruction in the EU*** and ***Gatekeeper of Right II***, where the Ombudsman prematurely closed **Case EBF–AJBH–309–2025** on a postal technicality despite the complainant's documented attempts to provide updated contact information, mirroring the same passive oversight failures previously described in ***Gatekeeper of Right I*** and analyzed further in ***Cross-Border Acknowledgment I–III***. These patterns are not isolated: they reflect a governance structure in which procedural silence, contradictory instructions, and selective enforcement operate as functional administrative tools.

When considered together, the evidentiary corpus—Semmelweis' internal correspondence, **Appendix A-2 and Appendix C** of the ***Administrative Obstruction*** **case study, the *Denied Access to the Scalpel*** investigation, and the broader Gatekeeper and Cross-Border series—shows a consistent system of administrative obstruction rather than a series of unrelated academic incidents. The repeated use of unwritten rules, such as demands to ***revoke a signature, inconsistent FM/CV treatment, denial of access to necessary infrastructure, and invalid examination conditions, represents a structural violation of both national and European higher education law***. More importantly, these practices reveal **systemic discrimination through administrative discretion**, rather than explicit policies—precisely the type of ***institutional discrimination identified under EU law and highlighted in the European Commission's Rule-of-Law Reports on Hungary (2022–2024).*** The complete body of evidence, therefore, confirms the existence of a systemic, rather than episodic, administrative failure at Semmelweis University.

IV. Procedural Failures of National Remedy Mechanisms

Semmelweis University – Ombudsman – NAIH – MAB – Administrative Court

The procedural trajectory of the Semmelweis University case reveals not only institutional obstruction at the university level but also systemic failures across the national bodies responsible for oversight, remedy, and rights protection. These failures are extensively documented in ***Gatekeeper of Rights I*** **and** ***Gatekeeper of Rights II***, which demonstrate that Hungarian rights-protection institutions—most notably the ***Office of the Commissioner for Fundamental Rights***—exhibit a recurring pattern of ***premature case termination, procedural opacity, and avoidance of substantive evaluation in education-related complaints*** [5–6]. The **Ombudsman's handling of Case EBF–AJBH–309–2025** reproduced this exact pattern: despite receiving complete, verified identifying information and multiple follow-up communications, the Ombudsman terminated the case on a technicality related to postal non-collection. This occurred despite the complainant having explicitly provided updated contact details and despite the office's statutory obligation under ***Act CL of 2016 to pursue the merits where alternative channels*** (email, digital filings, Ugyfélkapu submissions) are available [9]. Such mechanical reliance on avoidable technicalities reflects what ***Gatekeeper of Rights II*** identifies as **"procedural evasion"—**a condition in which channels of remedy formally exist but are effectively hollowed out through administrative inaction.

The failures extend beyond the Ombudsman. The ***National Authority for Data Protection and Freedom of Information (NAIH)***, which opened ***Case J–427–3/2025*** in response to evidence of Semmelweis University's unlawful publication of personally identifiable student data, acknowledged the legitimacy of the complaint but similarly demonstrated limited investigatory initiative. The informational obstruction documented in ***Administrative Obstruction in the EU Education: Case Study Evidence of Lack of Transparency and Equity (Part VII)*** show that, despite clear ***GDPR violations****, including* ***breaches of Articles 5 and 25 concerning lawful processing and data minimization, NAIH's engagement was slow, fragmented, and procedurally shallow*** [3,12]. The authority's inability to assertively investigate institutional wrongdoing mirrors the same pattern of passive oversight documented across Hungarian governance structures in the **European Commission's Rule of Law Reports (2022–2024)**, which highlight systemic weaknesses in independent supervision, delays in administrative decisions, and a general reluctance to intervene effectively in public-institution mismanagement [20].

The **Hungarian Accreditation Committee (MAB)** likewise acknowledged the case, as shown in ***Cross-Border Acknowledgment I–III***, but adopted a purely receptive posture, deferring responsibility to Semmelweis University without initiating its own ESG-mandated review [7]. This is inconsistent with ***ESG 1.1, 1.7, and WFME Standards 3.1 and 3.4***, which require accrediting bodies to ensure that institutions uphold nondiscrimination, maintain adequate resources, and provide reliable assessment environments. By forwarding the matter back to the university—the very institution accused of misconduct—MAB structurally reproduced what ***Cross-Border Acknowledgment II*** describes as ***"self-referential oversight,"*** a condition in which agencies nominally responsible for quality assurance defer investigations to institutions with a vested interest in surviving scrutiny without admitting fault. This is particularly problematic given that multiple elements of the complaint—including the ***refusal of anatomy practical access, the use of severely degraded teaching specimens, and the inconsistent enforcement of FM/CV rules***—represent direct violations of the student experience and resource adequacy standards required for international accreditation.

The ***Administrative Court***, while procedurally neutral, also reflects the structural delays found in the broader system. The administrative petition filed to challenge Semmelweis University's obstruction—documented in ***Denied Access to the Scalpel for Dissecting the Specimen***—was properly lodged, supported by evidence, and accompanied by verified identification. However, the court's timeline for initial processing and communication mirrored the same slow-moving procedural environment identified by governance scholars studying Central European administrative law [1,7]. This procedural sluggishness has a discriminatory effect under EU Charter Articles 41 and 47, which guarantee good administration and the right to an effective remedy, because delays in education-related cases cause irreversible harm—lost semesters, denied practical opportunities, and compromised ability to sit valid examinations.

At the institutional level, Semmelweis University's internal administrative apparatus contributed significantly to the obstruction. As shown in ***Administrative Obstruction in EU Medical Education: A Legal Case Study from Semmelweis University***, the university failed to respond to written complaints, provided contradictory or incomplete instructions, and ultimately issued a dean-level takedown request ordering the removal of lawfully published research documenting procedural violations [2]. This conduct not only violates ***Act XXV of 2023 (Whistleblower Protection),*** which prohibits retaliation against public interest disclosures, but also reflects an entrenched culture of institutional defensiveness in which transparency is perceived as a threat rather than a responsibility. The same evasion pattern is identifiable in ***Ghost Students: The Legal Fiction of FM and CV Status***, where the university's inconsistent interpretation of registration categories created structural disadvantages for international students while shielding internal decision-making from scrutiny [4].

Taken together, the ***failures of the Ombudsman, NAIH, MAB, Semmelweis University, and the Administrative Court*** illustrate a fully interconnected system of administrative obstruction. Mechanisms that should function as corrective safeguards instead replicate the same weaknesses—procedural silence, non-response, over-delegation, ambiguous communication, and reluctance to intervene—that initially produced the student's discriminatory treatment. These systemic failures not only violate Hungarian laws governing administrative fairness and higher education but also contravene ESG quality-assurance principles, WFME accreditation standards, GDPR requirements, and EU Charter protections. As such, the procedural environment surrounding the Semmelweis case constitutes not an isolated anomaly but a predictable outcome of an administrative landscape that structurally impedes effective remedy and perpetuates discrimination through institutional inertia.

V. High-Level Re-Evaluation of SZMSZ Articles 5, 10, 11, 13, 29, and 45 (Paragraph Version)

A detailed research-level reinterpretation of the ***Semmelweis Interim Policy Manual—especially Articles 5, 10, 11, 13, 29, and 45***—shows that the discriminatory and obstructive actions documented in **Appendix C of the** ***Administrative Obstruction in the EU: A Legal Case Study from Semmelweis University*** are incompatible with both Hungarian higher education law and broader European quality assurance frameworks. Article 5, which ensures equal treatment and maintains curricular integrity for all registered students, is specifically designed to prevent the kind of selective enforcement and discretionary interpretation that occurred when the

Anatomy Department imposed a signature-revocation requirement not found in any written policy. Practically, ***Article 5 aligns with ESG 1.1 (policy commitment to non-discrimination) and ESG 1.4 (fair, transparent progression rules)***, as well as EU Charter Article 21's ban on discriminatory treatment. However, the university's actions in this case reflect the same selective administrative behavior previously documented in the ***Semmelweis University Internal Policy Manuals*** **and the** ***Administrative Obstruction in the EU — Semmelweis University Case Study***, where institutions create unwritten rules as gatekeeping tools to restrict access to essential components.

Article 10 further underscores ***students' right to access physical instructional facilities upon official registration for a course***. Since ***FM registration counts as valid course enrollment under Article 13***, denying access to dissection labs—despite valid registration—violates Article 10. This is especially true because ***ESG 1.6 mandates that institutions provide adequate learning resources*** for students to complete the course. The inconsistency is even clearer considering the student's current enrollment in ***Molecular Cell Biology I (FM1)*****,** where no signature revocation was necessary, as well as ***peer testimony in Appendix A-2 of the Semmelweis legal case, which shows FM students in Biophysics and Biochemistry*** were allowed to attend practical sessions without retrospective changes to their academic records. These documented inconsistencies demonstrate that there is ***no uniform FM policy at Semmelweis; practices vary by department, indicating the exercise of administrative discretion*** rather than adherence to a binding standard.

This discretionary application becomes even clearer when ***analyzing Article 11***, which sets out the conditions under which ***practical education*** is conducted. Article 11 specifies attendance thresholds, occupational health requirements, and the structure of practical examinations. Yet, it contains no clause authorizing departments to deny practical participation based on ***FM/CV status*** or to demand revocation of a signature. By imposing an extra-textual requirement, the ***Anatomy Department*** transformed a procedural rule into a barrier to education—a phenomenon also identified in the ***Denied Scalpel and Academic Obstruction Case from Semmelweis University*****,** where access to laboratory materials was unlawfully restricted through non-regulatory means. In both cases, the existence of written policy was overshadowed by informally communicated operational rules, contradicting both the letter and the purpose of **Article 11**.

In **Article 13**, which governs ***FM ("Exempt-From")*** course re-registration, the key provision is violated in **Appendix C**. By design, ***FM status*** allows students who have previously received a signature to retake an exam without needing to re-attend lectures or practical sessions. The article explicitly defines FM as an examination-mode re-registration; it does not authorize or require the revocation of a signature. No department at Semmelweis—except Anatomy—appears to interpret FM this way, as shown by the student's simultaneous FM1 enrollment in **Molecular Cell Biology** and the testimony in ***Appendix A-2***. Imposing signature revocation thus conflicts with the purpose of Article 13, which aims to protect the continuation of academic rights already earned. The similarities with the Semmelweis University FM/CV obstruction cases further highlight a recurring administrative pattern: institutions using FM status not as a proper registration category but as a discretionary filtering tool, contrary to **Act CCIV of 2011 (§47),** which protects re-examination rights without changing completed academic records.

Similarly, ***Article 29,*** which governs the legitimacy of signatures as binding academic records, prohibits departments from arbitrarily nullifying previously awarded signatures. A signature is an official certification of course completion, and under Hungarian higher-education law, it constitutes a recognized academic right. In **Appendix C**, the department's request to revoke a valid signature—a signature properly recorded in Neptun—undermines ***Article 29*** and violates ESG 1.4's requirement for transparent and predictable progression criteria. This replication of signature-nullification tactics previously identified in the ***Semmelweis University Administrative Obstruction Case*** shows that the practice is not an isolated error but rather part of a broader institutional pattern of misusing administrative authority.

Finally, **Article 45** outlines the conditions under which a student can progress toward the Absolutory, ensuring that once prerequisites are satisfied, institutions cannot retroactively impose requirements that invalidate prior academic achievements. Because Anatomy both denied access to essential practical sessions and used severely degraded or incomplete specimens in oral examinations—as documented in the ***Denied Scalpel to Dissect Specimen: An academic Obstruction in the European Union*** evidence—the examination conditions violated ESG 1.3, which requires fair, valid, and reliable assessment. Furthermore, the EU Charter, Article 14, which guarantees the right to education, and Act CCIV (sections 1–3 on equal access to higher education) prohibit institutions from obstructing access to learning opportunities and from assessing students on material for which they were unlawfully unprepared. Consequently, the guarantee of consistent and equitable progression procedures in Article 45 was breached both procedurally (through denial of lawful access) and substantively (due to defective examination materials).

In summary, the ***high-level review of Articles 5, 10, 11, 13, 29, and 45*** reveals a consistent, legally significant pattern of violations involving extratextual rulemaking, selective enforcement, and administrative discretion. The inconsistencies documented in Appendix C, the Semmelweis University obstruction cases, and the ***Denied Access to the Scalpel for Dissecting the Specimen [1],*** collectively demonstrate that these articles were not only violated in practice but also rendered ineffective by the very administrative structures responsible for enforcing them. These violations breach Hungarian higher education law, ***ESG quality assurance standards***, and ***EU human rights protections***, thereby justifying an escalated review by the European Commission.

VI. Findings and Requested Actions

The accumulated evidence presented in this dossier—drawn from ***Administrative Obstruction in EU Medical Education: A Legal Case Study from Semmelweis University***, ***Administrative Obstruction in the EU Education: Part VI***, ***Denied Access to the Scalpel for Dissecting the Specimen***, ***Gatekeeper of Rights I***, ***Gatekeeper of Rights II***, **and the *Cross-Border Acknowledgment* series**—demonstrates that Semmelweis University engages in a structurally embedded pattern of administrative conduct that violates both European and Hungarian legal standards governing higher education, nondiscrimination, assessment validity, and the right to effective remedy. The factual record establishes that FM/CV-registered students were denied access to compulsory anatomy practical sessions through unwritten signature-revocation demands, that assessment conditions relied on severely degraded and educationally

invalid specimens, that institutional responses to student grievances consisted of prolonged silence or contradictory instructions, and that national oversight bodies—including the Ombudsman, NAIH, and MAB—failed to exercise meaningful supervision. These failures directly contravene **ESG 1.1, 1.3, 1.4, and 1.6; WFME Standards 3.1 and 3.4; EU Charter Articles 14, 21, 41, and 47; GDPR Articles 5 and 25; and Hungarian Act CCIV of 2011 (§§1–3, §47)** concerning equal access and lawful educational progression.

The findings indicate that ***Semmelweis University's FM/CV*** enforcement practices are not only inconsistent with the institution's **Study and Examination Regulations (SZMSZ Articles 5, 10, 11, 13, 29, and 45)** but also demonstrably inconsistent across departments and over time. Appendix A-2 and Appendix C in ***Administrative Obstruction in the EU*** confirm that ***FM students in Biophysics, Biochemistry, and Molecular Cell Biology*** were allowed to attend practical sessions without having to revoke a signature. In contrast, unwritten exclusion rules uniquely burdened students in Anatomy. The selective imposition of these rules constitutes discriminatory administrative discretion under **Act CXXV of 2003** and **violates Article 5** of the SZMSZ, which mandates equal treatment. When combined with the degraded assessment environment documented in ***Denied Access to the Scalpel for Dissecting the Specimen*** and the institutional non-response pattern documented in ***Gatekeeper of Rights II*****,** it becomes clear that Semmelweis University has created structural barriers that disproportionately harm international students—students who already face higher attrition rates as demonstrated by peer-reviewed work from Pusztai et al. (2022).

The ***national oversight bodies*** tasked with correcting such failures did not provide adequate remedies. The **Ombudsman's procedural closure of Case EBF–AJBH–309–2025** without substantive evaluation, despite complete filings and updated contact details, violates the good administration guarantees of ***EU Charter Article 41 and Act CL of 2016.*** NAIH's limited engagement with a clear GDPR breach further illustrates the structural incapacity of Hungarian oversight systems to intervene in higher-education mismanagement. MAB's acknowledgment of the case without initiating a direct quality-assurance review constitutes a breach of ESG 1.7's requirement for reliable information systems and of WFME's mandate for equitable treatment and adequate learning conditions. These systemic oversight failures closely match the administrative deficiencies highlighted by the **European Commission's Rule of Law Reports** (2022–2024) and fall within the scope of EU concern as defined by Council Implementing Decision (EU) 2022/2506.

Based on this factual and legal foundation, the European Commission is respectfully requested to take the following actions. First, **DG EAC and DG** should initiate a formal inquiry into Semmelweis University's compliance with ESG and EU Charter standards, examining whether **FM/CV students** are denied mandatory educational components through unwritten administrative barriers. Second, the Commission should require the Hungarian government and the **Hungarian Accreditation Committee (MAB**) to conduct a full, independent quality-assurance audit of Semmelweis University's English-language medical program, including infrastructure adequacy, cadaver and resource allocation, adherence to the SZMSZ, and assessment validity. ***Third, the EU should require Hungary to report semi-annual updates on the implementation of ESG-aligned reforms, including the elimination of extratextual rules,***

transparent FM/CV practices, equal access policies, and standardized, valid assessment methods.

Fourth, DG should evaluate whether **Hungary's handling of student rights complaints**—including the Ombudsman's management of Case EBF–AJBH–309–2025—constitutes a breach of **EU Charter Articles 41 and 47**, warranting inclusion in future EU Rule of Law Reports. Fifth, the Commission should consult with WFME, FAIMER, and ECFMG regarding whether documented ESG non-compliance threatens Hungary's standing within international medical accreditation frameworks. Finally, DG EAC should consider issuing formal guidance to all Member States emphasizing that administrative obstruction, unwritten policies, discriminatory FM/CV enforcement, and invalid assessment conditions constitute violations of the European Higher Education Area's legal and normative commitments. These steps are necessary to protect international students, uphold the integrity of cross-border qualification recognition, and reinforce the rule-of-law standards that underpin the European Union.

VII. Annex Overview

The annexes accompanying this dossier provide the ***evidentiary backbone for the findings advanced in Sections I–VI.*** They consist of primary-source documents, internal policy extracts, institutional correspondence, photographic evidence, peer testimony, and regulatory filings that substantiate each dimension of administrative obstruction, discriminatory FM/CV enforcement, invalid assessment conditions, and procedural failures at Semmelweis University. Each annex corresponds directly to the documentary framework established in ***Administrative Obstruction in EU Medical Education: A Legal Case Study from Semmelweis University [2], Administrative Obstruction in the EU Education: Part VI [3], Denied Access to the Scalpel for Dissecting the Specimen [1], Gatekeeper of Rights I & II [5–6], and the Cross-Border Acknowledgment series [7].*** The annex structure mirrors the methodology used in the Sunrise University comparative studies on administrative obstruction and academic rights, ensuring cross-case consistency and ensuring that every claim in the main manuscript is grounded in verifiable documentation.

Annex A (Whistleblower Suppression and Communications Record) contains evidence of institutional non-response, message deletions, peer-admin censorship, and communications demonstrating attempts to suppress or discredit lawful disclosures made under Act XXV of 2023. These documents directly support the findings in ***Gatekeeper of Rights II*****,** showing that Hungarian oversight bodies and university administrators rely disproportionately on procedural mechanisms—silence, ambiguity, and refusal to engage—to evade substantive responsibility.

Annex B (Overcrowding, Infrastructure, and Capacity-Failure Evidence) provides official emails, student reports, and capacity analyses that reveal that Semmelweis University routinely placed 300+ students in facilities with insufficient legal capacity, leading to situations in which attendance verification and lecture participation were physically impossible. This annex directly supports ESG 1.6 violations and the infrastructure-adequacy concerns highlighted in *Cross-Border Acknowledgment I–III*.

Annex C (Internal Policy Violations and FM/CV Enforcement Analysis) is the most critical annex regarding discriminatory treatment. It contains the signature-revocation demand by the Anatomy Department, the student's valid FM/CV record, and the complete absence of any SZMSZ provision authorizing such revocation. It is here that the core incompatibility between SZMSZ Articles 5, 10, 11, 13, 29, and 45 becomes most visible. The selective imposition of extra-textual FM conditions—contradicted by the student's experience in **Molecular Cell Biology I (FM1)** and by peer testimony in Appendix A-2—demonstrates a systemic inconsistency consistent with the patterns documented in *Ghost Students: The Legal Fiction of FM and CV Status at Semmelweis University* [4].

Annex D (Photographic Evidence of Degraded Anatomical Specimens) contains high-resolution photographs and detailed descriptions of the cadaveric materials used in Anatomy II oral examinations. These images reveal missing cranial nerves, collapsed arterial systems, dehydrated and structurally mutilated brainstem regions, and thoracic slices incompatible with learning objectives. This annex substantiates the ESG 1.3 and WFME 3.4 violations analyzed in *Denied Access to the Scalpel for Dissecting the Specimen* [1].

Annex E (Selective Enforcement of Conduct and Academic Policy) documents inconsistencies in classroom conduct, including the tolerance of certain student behaviors, while procedural restrictions were selectively applied to FM/CV students. These materials demonstrate differential enforcement, aligned with indirect discrimination under Act CXXV of 2003, and highlight the non-uniformity of rule enforcement identified in *Administrative Obstruction in EU Medical Education* [2].

Annex F (Legal Correspondence, Official Replies, and Procedural Timeline) consolidates communications between the student, Semmelweis University officials, the Ombudsman, NAIH, MAB, and the Hungarian Administrative Court. These documents provide chronological clarity on institutional silence, evasive administrative correspondence, and premature case termination by the Ombudsman—confirming the procedural-evasion patterns documented in ***Gatekeeper of Rights I*** **and** ***Gatekeeper of Rights II*** [5–6]. The annex also includes QR-coded submission pages, postal receipts, official email confirmations, and internal notices demonstrating that submissions were timely and lawful under Hungarian administrative law.

Together, the annexes supply the evidentiary detail that transforms the Semmelweis case from a narrative of individual grievance into a rigorously documented legal and administrative dataset. They reveal systemic failures in policy implementation, quality assurance obligations, and rights-protection mechanisms—failures that not only violate Hungarian and EU law but also undermine the credibility of international medical accreditation pathways. The annexes thus function as both the factual substrate for this dossier and an independent body of evidence justifying EU-level oversight under the legal frameworks outlined in Section V.

VIII. Consolidated Conclusion

The evidence synthesized across this dossier, supported by the ***Administrative Obstruction in EU Medical Education: A Legal Case Study from Semmelweis University*** [2],

its expanded and revised editions, ***Administrative Obstruction in the EU Education: Case Study Evidence of Lack of Transparency and Equity (Part VI)*** [3], ***Denied Access to the Scalpel for Dissecting the Specimen*** **[1],** ***Ghost Students: The Legal Fiction of FM and CV Status at Semmelweis University*** **[4],** ***Gatekeeper of Rights I*** **[5],** ***Gatekeeper of Rights II*** **[6], and the** ***Cross-Border Acknowledgment I–III*** **series** [7], demonstrates beyond dispute that Semmelweis University's English-language medical program exhibits a structurally entrenched pattern of administrative discrimination, procedural evasion, invalid assessment practices, and failure to comply with essential obligations under Hungarian law, EU law, and internationally recognized quality-assurance frameworks. The core of this pattern is the deliberate or negligent displacement of written rules—***especially SZMSZ Articles 5, 10, 11, 13, 29, and 45***—with ***unwritten, selectively applied departmental practices that condition access to compulsory course components on extra-textual administrative requirements such as signature revocation***. This conduct violates Act CCIV of 2011 (§§1–3 and §47), the Equal Treatment Act (CXXV/2003), Act CL of 2016 (General Administrative Procedure), and Act XXV of 2023 (Whistleblower Protection), while simultaneously breaching nondiscrimination and fairness standards enshrined in EU Charter Articles 14, 21, 41, and 47 [10,13].

Severe resource insufficiencies and invalid assessment conditions compound the discriminatory consequences of this administrative architecture. The overcrowded lecture halls, inadequate cadaveric supply, and makeshift container classrooms documented in *Administrative Obstruction* and ***Cross-Border Acknowledgment I–III*** **[2–3,7]** conflict directly with ESG 1.6 and WFME 3.4, while the use of mutilated, incomplete, or degraded anatomical specimens—documented photographically and narratively in ***Denied Access to the Scalpel***—contradicts ESG 1.3 and international best practices for professional competence evaluation [1,14,15]. Peer-reviewed studies by Pusztai et al. (2022) [17] show that international medical students in Hungary already face disproportionately high attrition rates, and research by Pernar et al. (2020) and Abuzied (2023) [18–19] establishes that unstructured oral examinations systematically disadvantage non-native examinees. Semmelweis University's conditions amplify these vulnerabilities, demonstrating an educational environment misaligned with both EHEA principles and global accreditation norms.

Furthermore, the institutional and national remedy mechanisms—Semmelweis University's internal administration, the Office of the Commissioner for Fundamental Rights, NAIH, MAB, and the Administrative Court—demonstrate a pattern of procedural evasion, delayed or missing communication, reliance on technicalities to avoid substantive review, and refusal to intervene despite clear signs of regulatory non-compliance. These failures, thoroughly documented in *Gatekeeper of Rights I–II* [5–6] and supported by GDPR evidence in *Part VI* [3], exactly mirror the weaknesses highlighted by the European Commission in its Rule of Law Reports (2022–2024) [20], and justify EU-level oversight under both the EU Charter and the Council Implementing Decision (EU) 2022/2506 [16]. When national systems fail to protect educational rights, the EU not only has the authority but also the duty to step in to maintain the integrity of cross-border qualification recognition, prevent discrimination, and uphold the core values of the Union.

Overall, the Semmelweis case reflects not just a localized academic dispute but a broader systemic failure within Hungarian higher education. Issues like **discriminatory FM/CV**

enforcement, invalid assessment conditions, obstructive administrative actions, data protection violations, and the breakdown of remedy pathways create a structural environment that breaches EU legal standards, ESG benchmarks, WFME accreditation requirements, and the rights of international students. These failures harm student progress, weaken the legitimacy of medical qualifications, and diminish trust in the EU's mobility and recognition systems. Therefore, the findings in this report justify and require intervention by DG EAC, DG JUST, and other European institutions to restore compliance, safeguard affected students and ensure that European Higher Education Area standards are practically upheld—not just nominally.

IX. References

A. Author's Case-Study Series (Semmelweis-Relevant SSRN Papers)

1. **Wardhan, S.H.** (2025). *Denied Access to the Scalpel for Dissecting the Specimen: A Legal Case Study of Academic Obstruction at Semmelweis University.*
   (Primary evidence of access denial, FM/CV obstruction, degraded examination materials, and rights violations.)
2. **Wardhan, S.H.** (2025). *Administrative Obstruction in EU Medical Education: A Legal Case Study from Semmelweis University.*
   (Foundational case narrative outlining FM/CV misinterpretation, Ombudsman escalation, and structural administrative barriers.)
3. **Wardhan, S.H.** (2025). *Administrative Obstruction in the EU Medical Education: Case Study Evidence of Lack of Transparency and Equity (Part VI).*

(GDPR breach analysis, NAIH Case J-427-3/2025, and documentation of informational obstruction.)
4. **Wardhan, S.H.** (2025). *Ghost Students: The Legal Fiction of FM and CV Status at Semmelweis University.*
(Analysis of FM/CV categories as administrative gatekeeping functions resulting in indirect discrimination.)
5. **Wardhan, S.H.** (2025). *Gatekeeper of Rights I: The Role of Hungary's Commissioner for Fundamental Rights in Safeguarding Educational Equity.*
(Historical and structural analysis of Ombudsman oversight failures in higher-education rights cases.)
6. **Wardhan, S.H.** (2025). *Gatekeeper of Rights II: Ongoing Investigation and Closure of a Whistleblower Case in Hungarian Higher Education Without Justification.* SSRN ID 5628170.
(Detailed examination of Case EBF–AJBH–309–2025 and systemic procedural evasion.)
7. **Wardhan, S.H.** (2025). *Cross-Border Acknowledgment I–III (WFME/FAIMER/ECFMG/MAB Correspondence Series).* SSRN IDs 5693002, 5687582, et al.
(Documentation of international recognition, accreditation responses, and confirmation of ESG-related concerns.)

B. Hungarian Legal Framework

8. **Act XXV of 2023** on Complaints, Disclosures in the Public Interest, and Whistleblower Protection.
(Establishes legal protection for disclosures such as those in the Semmelweis case.)
9. **Act CL of 2016** on General Administrative Procedure.
(Regulates administrative fairness, deadlines, and procedural obligations.)
10. **Act CCIV of 2011** on National Higher Education.
(Governs nondiscrimination, access to compulsory course components, and institutional obligations toward students.)
11. **Semmelweis University** (2024). *SZMSZ_HKR – Study and Examination Regulations.*
(Articles 5, 10, 11, 13, 29, and 45 governing equal treatment, infrastructure access, practical attendance, FM registration, signature validation, and examination rules.)

C. European Union Charter, Regulatory, and QA Frameworks

12. **Regulation (EU) 2016/679 (GDPR).**
(Relevant to NAIH Case J-427-3/2025 involving data minimization and confidentiality breaches.)
13. **EU Charter of Fundamental Rights.**
(Articles 14 – Education, 21 – Non-discrimination, 41 – Good administration, 47 – Effective remedy.)
14. **ENQA** (2015). *Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG).*

(ESG 1.1 – Nondiscrimination, 1.3 – Fair assessment, 1.4 – Transparent progression, 1.6 – Resources, 1.7 – Information management.)
15. **World Federation for Medical Education (WFME)** (2015/2020). *Global Standards for Quality Improvement in Basic Medical Education.*
(Standards 3.1 – Equity and fairness; 3.4 – Learning resources.)
16. **Council Implementing Decision (EU) 2022/2506.**
(Rule-of-law conditionality mechanism identifying systemic administrative deficiencies in Hungary.)

D. Peer-Reviewed and Empirical Studies

17. **Pusztai, G., Demeter-Karászi, Z., Alter, E., Marincsák, R., Dabney-Fekete, I.D., & Hatos, A.** (2022). "Self-financing as a risk factor of attrition in Hungarian medical education." *BMC Medical Education* 22:317.
(Demonstrates a ~67.5% attrition rate for international medical students in Hungary.)
18. **Pernar, L.I., Lipsitz, S.R., Carty, M.J., & Breen, E.M.** (2020). "Impact of examiner bias in oral examinations." *American Journal of Surgery* 219(2): 222–228.
(Confirms structural unreliability and bias in unstructured medical oral examinations.)
19. **Abuzied, R.A.** (2023). "Effectiveness of structured and conventional methods of viva examination in medical education: A systematic review and meta-analysis." *BMC Medical Education* 23:112.
(Establishes evidence-based superiority of structured viva formats.)
20. **European Commission.** (2022–2024). *Rule of Law Report – Country Chapter on Hungary.*